

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Jackson, D.

Serial No.: 09/894,042

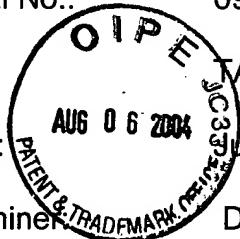
For: **TAMPON APPLICATOR**

Filed: **JUN 28 2001** June 28, 2001

Examiner: **Dennis William Ruhl**

Art Unit: 3761

Customer No.: 27623



Attorney Docket No.: 460.2125USU

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

We are enclosing the following:

1. Supplemental Information Disclosure Statement;
2. Form PTO 1449 with references;
3. A check for \$180.00;
4. Transmittal letter in duplicate;
5. Postcard.

The Commissioner is hereby authorized to charge any fees or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this form is enclosed.

Respectfully submitted,



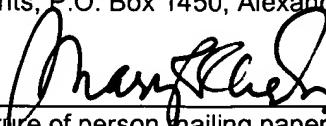
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Date: August 4, 2004

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on August 4, 2004.

Mary R. Charles  
(Typed name of person mailing paper)

  
(Signature of person mailing paper)

AF3761  
SFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dane R. Jackson  
Serial No.: 09/894,042  
Filed: June 28, 2001  
For: TAMPON APPLICATOR  
Art Unit: 3761  
Examiner: Michele M. Kidwell  
Confirmation No.: 5504  
Customer No.: 27623



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Attorney Docket No.: 460.2125USU

Date: August 4, 2004

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with applicant's duty of disclosure under 37 C.F.R. §1.56, please find attached hereto form PTO-1449 listing information which may be material to the patentability of this application, filed on June 28, 2001.

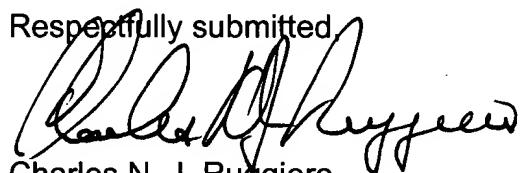
It is applicant's belief that none of the citations listed in the enclosed PTO-1449 describe that which is claimed in the present invention.

It should be understood that attention has been called to the citations that have been deemed to be pertinent to the claimed present invention. In concluding what was pertinent, the criteria employed was considered most appropriate in light of the

invention shown in the present application. However, the Examiner or others may deem some other criteria to be just as appropriate or more appropriate. Therefore, the Examiner is respectfully urged to review the listed citations and to make the usual careful independent search for other prior art that may be pertinent.

Since this Information Disclosure Statement is being filed after the date of the first Office Action, but before the mailing date of a Notice of Allowance under 37 C.F.R. §1.311, and prior to a final action, and is accompanied by the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p), Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Respectfully submitted,



Charles N. J. Ruggiero  
Reg. No. 28,468  
Attorney for Applicant  
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One Landmark Square, 10th Floor  
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FORM PTO-1449  INFORMATION DISCLOSURE CITATION IN AN APPLICATION  (Use several sheets if necessary)		Docket Number (Optional) 460.2125USU	Application Number 09/894,042
		Applicant Jackson, D.	
		Filing Date June 28, 2001	Group Art Unit 3761

## U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	Playtex Products, Inc. v. Proctor & Gamble Distributing Co. et al., District Judge Thomas M. Rose, Supplemental Expert Report of G.A.M. Butterworth, Case No. C-1-02-391, August 20, 2003.
	Playtex Products, Inc. v. Proctor & Gamble Distributing Co. et al., District Judge Thomas M. Rose, Supplemental Report of James C. Moller, Ph.D., P.E., Case No. C-1-02-391, August 15, 2003.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.